

L/lmz

Decision 88 05 037 MAY 11 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC GAS AND ELECTRIC COMPANY for)
a Certificate of Public Convenience) Application 87-10-018
and Necessity Authorizing Participation) (Filed October 14, 1987)
in the California-Oregon Transmission)
Project.)

ORDER MODIFYING DECISION (D.) NO. 88-02-029
AND DENYING REHEARING

A petition for rehearing of D.88-02-029 has been filed by Pacific Gas and Electric Company. We have carefully considered the allegations raised in the petition and are of the opinion that rehearing should be denied. We confirm that A.87-10-018 was deficient with respect to the issue of project description and was properly rejected as incomplete. However, the decision should be modified in several respects. Therefore,

IT IS HEREBY ORDERED:

1. The first full paragraph on **page 5** is modified to state:

"The PSA requires that each agency prepare an 'Information and Criteria List' to help inform applicants of information that will be necessary for a determination of completeness (Gov't. Code §§ 65940-41). The Commission adopted such a list in 1979 (1 CPUC 2d 166 (1979)). One of the requirements in that list is that an electrical public utility desiring to build transmission line facilities shall in its application for a certificate of public convenience and necessity include a "detailed description of the proposed transmission facilities" (G.O. 131-C, Sec. VII.A.1.). This is the key issue in PG&E's appeal. As we analyze that appeal, we must recognize the realities imposed by the Public Utilities Act and the PSA, as well

as the fact that the burden of proof
justifying the issuance of the certificate is
clearly on the applicant."

2. Conclusion of Law No. 1 is modified to state:

"1. General Order 131-C requires a clear and
detailed description of the project."

IT IS FURTHER ORDERED:

Rehearing of D.88-02-029, as modified herein, is
denied.

This order is effective today.

Dated MAY 11 1988, at San Francisco, California.

STANLEY W. HULETT

President

DONALD VIAL

G. MITCHELL WILK

Commissioners

Commissioner Frederick R. Duda
being necessarily absent, did
not participate.

Commissioner John B. Ohanian
being necessarily absent, did
not participate.